

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Roderick Brown,

Plaintiff,

v.

Case No. 17-10163

HSBC Bank USA, NA,

Sean F. Cox

United States District Court Judge

Defendant.

ORDER ADOPTING
7/12/17 REPORT AND RECOMMENDATION

Acting *pro se*, Plaintiff commenced this action on January 18, 2017.

Thereafter, this Court referred two motions filed in the action to Magistrate Judge Mona Majzoub.

On July 12, 2017, Magistrate Judge Majzoub issued a Report and Recommendation (“R&R”) wherein she recommends as follows:

For the above-stated reasons, it is recommended that Plaintiff’s Motion to Amend (docket no. 21) be **GRANTED**. If the Court accepts this recommendation, Plaintiff should be ordered to file his Proposed Amended Complaint at docket no. 21-9 (with any applicable exhibits) as a separate docket entry within seven days of the Court’s decision, and should be ordered to serve the new defendants (Specialized Loan Servicing LLC, Computershare USA, and JPMorgan Chase Bank, NA) within 90 days of the Court’s decision, pursuant to Federal Rule of Civil Procedure 4(m).

It is further recommended that Defendant HSBC’s Motion to Dismiss (docket no. 9) be **GRANTED IN PART and DENIED IN PART**. Specifically, to the extent Defendant HSBC seeks dismissal of all claims against it, the Motion should be granted. To the extent Defendant HSBC seeks dismissal of the matter in its entirety, the Motion should be denied, as the undersigned recommends that Plaintiff be permitted to proceed against Specialized Loan Servicing LLC,

Computershare USA, and JPMorgan Chase Bank, NA on Counts 2 and 5 of his proposed amended complaint.

(Docket Entry No. 26 at Pg ID 1214).

The time for filing objections to the R&R has expired and the docket reflects that no objections have been filed. The Court hereby **ADOPTS** the July 12, 2017 R&R.

Plaintiff's Motion to Amend (Docket Entry No. 21) is **GRANTED** to the extent that the Court **ORDERS**:

- 1) Plaintiff to file his proposed Amended Complaint at Docket No. 21-9 (with any applicable exhibits) as a separate docket entry no later than **August 11, 2017**; and
- 2) Plaintiff shall serve the new Defendants (Specialized Loan Servicing LLC, Computershare USA, and JPMorgan Chase Bank, NA) within 90 days of this order, pursuant to Fed. R. Civ. P. 4(m).

IT IS FURTHER ORDERED that Defendant HSBC's Motion to Dismiss (Docket Entry No. 9) is **GRANTED IN PART AND DENIED IN PART**. The motion is **GRANTED** to the extent that the Court **DISMISSES** all claims asserted in this action against Defendant HSBC. The motion is **DENIED** in all other respects.

IT IS SO ORDERED.

s/Sean F. Cox

Sean F. Cox

United States District Judge

Dated: August 2, 2017

I hereby certify that a copy of the foregoing document was served upon counsel of record on August 2, 2017, by electronic and/or ordinary mail.

s/Jennifer McCoy

Case Manager